

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Tyrone Slaughter**
Docket No. **280224**
L.C. No. **98-016001-FC**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal is DISMISSED for lack of jurisdiction because appellant failed to request the appointment of appellate counsel within 42 days of the entry of the May 3, 1999 judgment of sentence as required by MCR 6.425(G)(1)(b). Furthermore, defendant did not satisfy MCR 6.428 as there was no allegation that defendant was denied effective assistance of counsel or that he instructed counsel to file a claim of appeal and no claim of appeal was filed. Defendant's failure to complete the paperwork that requests appellate counsel does not fall within MCR 6.428. The Court need not decide whether MCR 6.428 is retroactive to this sentencing that occurred in May of 1999.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 20 2007

Date

Sandra Schultz Mengel
Chief Clerk